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IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF OHIO EASTERN DIVISION

| WELLS |
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| <pre> } JUDGE: LESLEY WELI } }</pre> |

PLAINTIFF'S NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Now comes Plaintiff, by and through undersigned counsel and hereby voluntary dismisses his case, without prejudice, pursuant to Rule 41(a)(1)(A)(i).

Respectfully Submitted,

KAHN & ASSOCIATES, L.L.C.

/s/ J. Daniel Scharville

J. DANIEL SCHARVILLE (0071132) 6200 Rockside Woods Blvd – Suite 215 Independence, Ohio 44131 (216) 621-6101 (216) 621-6006 Facsimile Attorney for Plaintiff